REMARKS

Prior to entry of this response, Claims 1-9 were pending. This is a response to a Non-Final Office Action mailed on January 11, 2006. Claims 1-9 are rejected. Applicants have amended Claims 1 and 4 to fix grammatical problems. Claims 10-14 have been added. No new matter has been added by way of this amendment. For at least the reasons discussed below, Applicants submit that the pending claims are patentable over the prior art of record.

Claim Rejections - 35 U.S.C. § 112

Claims 1-7 and 9 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. In particular, the Office Action rejected Claims 1-7 because the terms "generating-myriad," "a subset of the thumbnail images," and "configuration command" are not described in the Specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicants respectfully disagree.

The term "generating-myriad" has been amended to read "generating a myriad of" to correct grammatical errors in Claims 1 and 4, and for no reason related to patentability. The term "myriad" typically means "many," or a "plurality" of something. For example, a myriad may be many, or a plurality of, thumbnail images. The Applicants' specification, on page 8, at paragraph 41 describes generating a "collection" of first thumbnail images. In such context, a collection may include a many, a plurality, or that is, a myriad of first thumbnail images.

Moreover, the specification discloses that, "[a] browsesable is created by optimizing an image or video frame for online browsing..." (Emphasis added). As defined by the specification, thumbnails are browseables or small representations of the actual images, videos, or other media files in the system. See Applicants' Specification, p. 8, para. 0041. As commonly used, the term "create" often refers to "bringing something into existence," or "generating," something. Thus, the specification sufficiently describes "generating a myriad of thumbnail images." Therefore, the rejection should be withdrawn.

With respect to the terms "a subset of the thumbnail images," the specification sufficiently describes employing or browsing "a subset" of thumbnail images. For example, searching is taught as "[t]he process of locating a particular file in a large archive ... for browsing." See Applicants' specification, p. 11, para. 0053. (Emphasis added). It should be apparent that "[A] particular file" that is browsed is a subset of all the files in the large archive. Therefore, because browsing includes browsing a subset, the term "a subset of the thumbnail images" is sufficiently described in the specification, and this rejection should also be withdrawn.

With respect to the term "configuration command," the specification teaches that a browseable generation is "user-configurable." The Specification also teaches that a "browseable size is generally ... configured by the customer." See Applicants' specification, p. 8, para. 0041. (Emphasis added). Displaying or viewing of such media files may be performed using an application that may be launched by a web browser, from a specific link on a web page. Moreover, the current viewer in the system according to the invention may be on a PC or a Macintosh platform. See Applicants' specification page 21, paragraphs 127-128. Such web browsers typically include a capability to receive and send commands. Such commands may be issued by a user in the present invention to, for example, configure a browseable size. Thus, the Applicants' respectfully submit that the specification sufficiently describes a configuration command. Therefore, for at least the reasons describe above, the Applicants request that the rejections of claims 1-7 be withdrawn.

Moreover, the Office Action rejected Claim 9 because the term "scene detection" is not described in the Specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicants respectfully submit that "scene detection" is sufficiently disclosed in the Specification as filed. For example, as described in the specification "scene detection technology can assist in the process of identifying duplicates so that they can be purged form the library." See Applicants' specification, p. 16, para. 0088. (Emphasis added). At the time of the invention, scene detection was well known in the art for detecting similar graphic patterns between frames within a media file. Thus, the Applicants submit that the specification as filed sufficiently discloses "scene

detection." Therefore, for at least for this reason, Applicants respectfully request the withdrawal of the rejection of Claim 9.

Claim Rejections - 35 U.S.C. § 102

Claims 1-6 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,578,072 to Watanabe et al. (hereinafter "Watanabe"). The Office Action's discussion of the rejection of claims 1 and 4; however, appears to also refer to Scott and Lawton. The Applicants assume that these are typographical errors and believe that, because this is a rejection under §102(e), the Office Action intended to reference only Watanabe. Under this assumption, Applicants respectfully traverse this rejection.

The Applicants submit that the rejection is improper because Watanabe does not teach amended independent Claim 1's limitation of "receiving a configuration command from a second user, the configuration command indicative of second dimensions differing from the first dimensions..." In particular, Watanabe does not disclose a configuration command indicative of second dimensions differing from the first dimensions.

Watanabe describes a network photograph service. See Watanabe, Abstract. Watanabe's network photographic service allows a user to request registration of images, using an image registering function 17 that registers image data read from a film 13 by a scanner 7. The network photograph service further generates low resolution images. The low resolution images are used by the user upon browsing among the images on a screen of his/her personal computer. See Watanabe Col 5, lines 66 to Col. 6, lines 22. Thus, as disclosed, Watanabe's network photograph service automatically creates a low resolution image, without additional input from a first or a second user.

However, unlike the Applicants' claimed invention, Watanabe does not disclose or suggest that the user, or even a second user, is enabled to configure the resolution of the low resolution images. Thus, Watanabe does not disclose receiving a configuration command from a

second user, the configuration command indicative of second dimensions differing from the first dimensions. Therefore, for at least this reason, Watanabe does not anticipate nor render obvious Claim 1. Thus, Claim 1 should be allowed to issue.

Because amended independent Claim 4 recites similar limitations, albeit different, to Claim 1, Claim 4 should be in condition for allowance for substantially similar reasons. Moreover, because dependent Claims 2-3, and 5-6 depend from Claims 1 and 4, respectively, Claims 2-3 and 5-6 should also be in condition for allowance for substantially similar reasons.

Claim Rejections - 35 U.S.C. § 103

Claims 7-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,038,333 to Wang (hereinafter "Wang") in view of U.S. Patent No. 5,532,839 to Beikirch et al. (hereinafter "Beikirch"). Applicants respectfully traverse these rejections.

It is well-known that "if a proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification." MPEP §2143.01(V). The Applicants respectfully submit that the combination of Wang with Beikich would render Wang unsatisfactory for its intended purpose.

Wang describes a person identifier system that includes a face image database and a face analysis system. The face analysis system is coupled to a camera and the image database to extract face feature data and to compare the input face image with each of the face images stored in the database such that the person-identifying data of any stored face image similar to the input face image can be retrieved. See Wang's Abstract.

Moreover, Wang describes using a search engine that compares the extracted face feature data with each stored face feature data to output similarity scores based on the predetermined similarity measure. Wang, Col. 7, lines 36-41. A comparison of the corresponding values of two face feature data yields differences between the values. A similarity score is obtained based on how many of the differences are less or more than the thresholds. The search engine then

retrieves the person-identifying data associated with the matching face feature data (i.e., the similar faces). See Wang, Col. 7, lines 46-53. Thus, as disclosed in Wang, similar images may be provided in accordance with their similarity scores. Because similar does not imply identical, several images could be retrieved that are not an exact match to the input face data, e.g., could be of a different person. Removal of such images from the Wang's database could remove images of different persons. Thus, purging the image database of 'duplicate images" (similar faces within the terminology of Wang) could at best remove additional images to confirm a match visually, and at worse, remove a different person's image, thereby reducing a likelihood of finding that person's similar face data in a subsequent search. Because purging of images would render Wang inoperable for its intended purpose of matching similar face images, a combination of Wang with the deletion capabilities of Beikirch would render Wang inoperable for its intended purpose. Therefore, there is no motivation to combine Wang with Beikirch, and Claim 7 should be allowed to issue.

Furthermore, there is no motivation to combine the cited references because the cited references do not teach "the desirability of the claimed invention." MPEP § 2143.01(I). In particular, Wang and Beikirch are directed at different technologies, and the problem to which Beikirch is directed is not disclosed or suggested in Wang. In general, Wang's person identifier management system is a completely different technology than Beikirch's digital imagining document handling system. Beikirch discloses automatic detection and deletion of duplicate documents to alleviate "document sheet feeding stoppages." Beikirch, col. 4, line 61. In contrast, in Wang, there are no documents to be sequentially fed into a system, nor is there any mention of "feeding stoppages." Thus, a desirability of a combination of the cited reference would not have been obvious to one skilled in the art in view Wang and Beikirch. Therefore, for at least this reason there is no motivation to combine the cited reference, and Claim 7 should be in condition for allowance.

Moreover, independent Claims 8-9 recite similar, albeit different limitations. Therefore, for at least substantially similar reasons recited above, Claims 8-9 should also be in condition for allowance.

New Claims

New Claims 10-14 further clarify the subject matter of the application and find support in the Specification. See Applicants' Specification, p. 8, para. 0041; p. 11, para. 0053. Furthermore, new Claims 10-14 are not anticipated or made obvious by the cited references. In particular, the cited references do not recite "based on a query from a second user, performing an information retrieval search to locate and retrieve the thumbnail image" and "changing the [retrieved] thumbnail image to the second size," as required by new independent Claim 10. Thus, Claim 10 is in condition for allowance, as are Claims 11-14 which depend from Claim 10.

CONCLUSION

By the foregoing explanations, Applicants believe that this response has responded fully to all of the concerns expressed in the Office Action, and believes that it has placed each of the pending claims in condition for immediate allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. Should any further aspects of the application remain unresolved, the Examiner is invited to telephone applicant's attorney at the number listed below.

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Respectfully submitted,

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